

NYCPS New York City Pharmacists Society

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NEW YORK CITY PHARMACISTS SOCIETY

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PRESIDENT'S MESSAGE



Hello members, friends and colleagues.

As we remember the rally, we had on October 5th, there was much to be grateful for. This rally which was done on short notice, was very successful. We had surprisingly good and amazing media coverage that resonated through the entire state. Job well done by FixRx and PSSNY who coordinated and executed well. We have another win as we learned on November 2nd that Governor Hochul signed the expanded immunization bill. Over 780 New

York pharmacists and their patients have written to Governor Hochul through FixRx and PSSNY to urge her to sign the complete Pharmacy Rescue Package into law. Please continue to share and send letters to the Governor. Yes, one bill signed and three to go. Keep the pressure up.

If you follow social media, you will find mini videos of pharmacists talking about the importance and sustainability of community pharmacies and the role they play in their communities. Please like, share and comment on those videos to help reach as many people as we can. Most of our legislators use

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How To Survive A DEA Inspection Series: Your DEA Biennial Inventory®



Attorney James R. Schiffer and I have been doing independent pharmacy inspection to determine the pharmacy compliance with federal laws

and regulations enforced by the Drug Enforcement Administration ("DEA") through their Diversion Control Division who are the DEA personnel that will come into your pharmacy to do an inspection of records and an audit of controlled substances to determine that there has been no theft or diversion of controlled substances. The other purpose of our compliance review is for Attorney Schiffer to determine that the pharmacy follows state pharmacy regulations and the stringent regulations imposed by pharmacy benefit managers on independent pharmacies.

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IF YOU ARE DELINQUENT YOU WILL SEE A MESSAGE STATING SO, RIGHT ABOVE YOUR NAME. PLEASE CONTACT PSSNY AT 800 632 8822 AND TAKE CARE OF YOUR DUES, WE NEED YOU AND YOU NEED PSSNY/NYCPS.

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Hi again, it's your friendly CPESN NYC luminary, Roger Paganelli RPh. I appreciate that Jim Schiffer has once again given me the opportunity to post a column in the NYCPS newsletter. I had the privilege of hosting Jim and his friend Dean Gennaro RPh this past week at my pharmacy. Jim is a mentor to Dean and the two friends had some chores to run up in the Bronx, so they decided to visit a pharmacy that has a very different and creative approach to the practice. My staff entertained Jim and Dean, explaining and demonstrating how our appointment-based model of medication synchronization is the foundation of how we practice at Mt. Carmel Pharmacy. Our approach of leveraging as many technological advantages to benefit patient outcomes while adding efficiencies into our day-to-day operations, is what sets us far apart from the pharmacies that sit and wait for their patients to come in the door or call them for each of their maintenance meds. Many pharmacies have changed their approach and understand the value of MEDSYNC, while others do it like they have for the past 3-4 decades. My philosophy is "Let go of the old and embrace the new".

Pharmacy owners in NYC are some of the most progressive in the country. At the same time, our laws around scope of practice are absolutely antiquated and in need of significant and meaningful change. I'm happy to report that our governor signed the adult immunization bill into law today. THIS IS FRIGGIN HUGE!!! As a past PSSNY board member and line officer, this was a huge effort for more than 10 years. I'm proud and elated for our profession and the practicing pharmacists that advocated over the last decade. Now it's time to roll our sleeves up and understand how powerful this COULD be for pharmacy. I used all CAPS for that word because we must understand and embrace the incredible opportunities this new law brings to us.

Adult immunizations are as straightforward as Flu and Covid, and can be as comprehensive as

adult travel immunizations clinics. This is the tie-in to CPESN. This Enhanced Service opportunity authorizes pharmacies in NYS to offer an entire line of services that are not typically PBM reimbursed. CPESN is continuously searching for these service-based, patient value added activities that can be available at independent community pharmacies throughout the NYS. Think of the potential client base that travels all over the world from the New York City area. Patients will learn quickly that they can get their vaccines from their local independent pharmacy and this will make your relationship with your current patients that much more valuable to you both. At the same time, adult vaccines open the door to a whole new patient population that might not already be a client/patient of your pharmacy. Don't sit back and wait for this to come to you. If you're not currently a CPESN member and you need resources and subject matter experts to learn from, this is an exciting and potentially profitable time for pharmacy in NYS.

There is no doubt in my mind that the pandemic and pharmacies in NY jumping into action with Covid vaccines, was a huge contributing factor that helped solidify pharmacy's role in vaccine administration legislation being passed. In some states throughout the country, pharmacies were the ones leading the charge in their communities. New York was no different than the rest of the country. Your pharmacy is so different than

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IT'S THE SAME OLD TUNE, BUT WE'RE SINGING FOR A NEW AUDIENCE

Remember “ABC,” by the Jackson 5? In its day (1970), it was a huge hit. In fact, it holds the distinction of knocking “Let It Be” by The Beatles from its perch at the top of the Billboard charts.

It's also an earworm.

As you probably know, an earworm is a song that gets stuck in your head, usually because it has a catchy, memorable tune or lyric. A refrain as simple as “A-B-C, it's easy as 1-2-3, as simple as do re mi, A-B-C, 1-2-3” burrows right into your ear. You'll find yourself singing it as you drive to work or in the shower. (Thank me later.)

ABC, as in the alphabet, is a big part of what we do here at the National Community Pharmacists Association. Specifically, I'm talking about the ABC agencies of the federal government — CMS, CDC, HHS, SBA, FDA, FTC, etc. And no, we don't walk down the halls singing about them here in Alexandria, Va.

But in this column, I am singing about one of those alphabet agencies. For the past few months, we've been communicating with the FTC — the Federal Trade Commission — as it explores the landscape of monopolies and mergers that please stockholders and harm consumers. NCPA has engaged with the FTC for years. We've called attention, over and over, to pharmacy benefit managers, take-it-or-leave-it contracts, patient steering, all the egregious business practices that have grown unchecked over the years.

The new FTC chair, Lina Khan, has us singing a different tune. When she became chair in June, she signaled her intent to examine the monopolistic practices that have flourished in recent years, mergers that have stamped out competition and choked the life out of small businesses.

When the FTC asked for examples of contract terms that may be harmful to fair competition, we use our member-facing communications and our social media feeds to get the word out, and we provided an easy-to-use platform on our website. Independent pharmacy advocates responded, and more than 3,000 comments

were submitted! NCPA also submitted our own input that helped capture many of member pharmacists' comments and asked the FTC to level the playing field between PBM-affiliated pharmacies and non-affiliated pharmacies.

A couple of sample member comments, edited for brevity:

- James Drug Store, my former employer, was founded nearly 100 years ago in a small railroad town of Cresson, Pa., serving a rural population. In 2018, reimbursement issues became notable. Net revenue to the company declined and three years later, the store no longer exists. Independent pharmacies like James Drug Store have no leverage to negotiate fair terms with PBMs. They present us with a take-it-or-leave-it contract, and we have to decide between losing patients and losing money. Some contract terms can be amended without my signature and without prior notice.
- We have seen several patients whose insurance company has tried to force them to use mail-order pharmacy by not covering refills. Insurance will cover the first fill, but not refills, which puts the patient in a position where they have to choose between switching to mail order, which is unreliable, or paying out of pocket. We have had several patients run out of medicine, and we have to call and get a new prescription to last until their medications arrive in the mail. This should not be happening.

These are just a couple of the powerful statements NCPA members sent to the FTC. These statements, added to others made to the commission at listening sessions, could turn the antitrust tide. We're hopeful.

If you took the time to share your story with the FTC, thank you. It sure hasn't been “easy as 1-2-3,” but we have every reason to believe this FTC is listening to the song we've been singing for years.

Best,
B. Douglas Hoey, Pharmacist, MBA
NCPA CEO

CPESN

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the pizzeria or shoe store or dollar store, etc... It's time to show your community and New Yorkers how great a job pharmacists can do with adult immunizations.

If you're not a CPESN NYC member, please go to google or other browser, and click on “join.cpesn.com” and start a new path

to Enhanced Services. Don't join thinking that CPESN will do the work. Think of the analogy I used in last month's newsletter, that your membership is much like a gym subscription and if you don't show up, roll up your sleeves and dig into the opportunities, you will not benefit. But if you do, the possibilities are endless of how you can transform your pharmacy by flipping the model to a service-based program as opposed

to product-based (prescription drugs) one. If I haven't done it in my own shop like I showed Jim and Dean this past week, I couldn't and wouldn't boast about it. Think about change and think about it today. Enjoy the upcoming Thanksgiving Holiday with your loved ones.

Thanks for taking the time to read this.
~ Roger J. Paganelli, RPh.